

Senate File 2098 - Introduced

SENATE FILE 2098

BY SINCLAIR

A BILL FOR

1 An Act relating to statements required to be submitted to the
2 state building code commissioner by state agencies and
3 governmental subdivisions of costs associated with building
4 regulations involving residential structures.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 103A.28 Residential structure cost
2 impact statement.

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "*Cost*" means a reasonably identifiable direct or indirect
6 expenditure.

7 b. "*Residential structure*" means any single-family dwelling,
8 multi-family dwelling, or townhome or condominium that is not
9 more than three stories above grade, and includes all secondary
10 structures and improvements ancillary to the dwelling,
11 townhome, or condominium. "*Residential structure*" does not
12 include a commercial or industrial building that is primarily
13 used for purposes other than housing.

14 2. A state agency or governmental subdivision shall submit a
15 residential structure cost impact statement to the commissioner
16 for all of the following:

17 a. Any new building regulation proposed by the state agency,
18 or new local building regulation proposed by the governmental
19 subdivision, that involves a residential structure.

20 b. Any change to a building regulation proposed by the state
21 agency, or a change to a local building regulation proposed
22 by the governmental subdivision, that involves a residential
23 structure.

24 3. The residential structure cost impact statement shall be
25 in the form prescribed by the commissioner of the department of
26 public safety by rule, and shall contain all of the following
27 information:

28 a. The purpose and objective of the proposed new building
29 regulation or new local building regulation or of the proposed
30 change to the existing building regulation or existing local
31 building regulation.

32 b. The legal basis for the proposed new building regulation
33 or new local building regulation or for the proposed change to
34 the existing building regulation or existing local building
35 regulation.

1 c. The estimated cost of compliance that the state agency
2 or governmental subdivision anticipates regulated entities and
3 individuals will incur for each new or amended standard or
4 requirement contained in the proposed building regulation or
5 local building regulation. The state agency or governmental
6 subdivision shall obtain a written estimate from three
7 different licensed Iowa-based contractors or building trade
8 professionals. Each written estimate must include the cost
9 of the materials, labor, and applicable taxes required for
10 compliance with the proposed building regulation or local
11 building regulation using the hypothetical development of an
12 eight thousand square foot parcel, and the construction of a
13 one thousand two hundred square foot residential structure on
14 such parcel, as the basis for the estimate. The state agency
15 or governmental subdivision shall use the average of the three
16 written estimates as the estimated cost of compliance.
17 4. The commissioner of the department of public safety shall
18 adopt rules pursuant to chapter 17A as necessary to implement
19 and administer this section.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill is related to statements required to be submitted
24 to the state building code commissioner by state agencies
25 (agencies) and governmental subdivisions (subdivisions) of
26 costs associated with building regulations (regulations)
27 involving residential structures.

28 "Residential structure" is defined in the bill as any
29 single-family dwelling, multi-family dwelling, or townhome
30 or condominium that is not more than three stories above
31 grade, and includes all secondary structures and improvements
32 ancillary to the dwelling, townhome, or condominium.

33 "Residential structure" does not include a commercial or
34 industrial building that is primarily used for purposes other
35 than housing.

1 An agency or subdivision shall submit a residential
2 structure cost impact statement (statement) to the state
3 building code commissioner for any new regulation, or
4 change to an existing regulation, proposed by the agency
5 or subdivision that involves a residential structure. The
6 statement shall contain the estimated cost of compliance that
7 the agency or subdivision anticipates regulated entities and
8 individuals will incur for each new or amended standard or
9 requirement contained in the proposed regulation. The agency
10 or subdivision is required to obtain a written estimate from
11 three different licensed Iowa-based contractors or building
12 trade professionals. Each written estimate must include the
13 information detailed in the bill and the agency or subdivision
14 shall use the average of the three estimates as the estimated
15 cost of compliance.

16 The commissioner of the department of public safety shall
17 adopt rules to implement and administer the bill.